

FORTY-FIFTH DAY

(Continued)

(Tuesday, April 12, 1949)

After Recess

The Senate met at 10:05 o'clock a.m. and was called to order by the President pro tempore.

**Motion to Set Senate Bill 118
as Special Order**

Senator Hazlewood moved that Senate Bill No. 118 be set as a special order for Friday, April 15, 1949, immediately following the disposition of all other special orders set for that day.

The motion was lost by the following vote (not receiving an affirmative vote of two-thirds of the members present):

Yeas—19

Aikin	Jones
Ashley	Lane
Bell	Lock
Bracewell	Martin
Colson	Proffer
Corbin	Shofner
Cousins	Strauss
Harris	Tynan
Hazlewood	Vick
Hudson	

Nays—10

Bullock	Moffett
Carney	Moore
Hardeman	Morris
Kelley of Hidalgo	Phillips
Kelly of Tarrant	Taylor

Absent

McDonald	Weinert
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House Bill 699 Re-referred

On motion of Senator Jones, H. B. No. 699 was withdrawn from the Committee on Civil Jurisprudence and re-referred to the Committee on Banking.

House Bill 610 Re-referred

On motion of Senator Weinert, H. B. No. 610 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Towns and City Corporations.

Senate Bill 183 Set as Special Order

Senator Bell moved that Senate Bill

No. 183 be set as a special order for Friday, April 15, 1949, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kelley of Hidalgo
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Bullock	Martin
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Hudson	Vick
Jones	

Nays—2

McDonald	Moffett
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Absent

Shofner	Weinert
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Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 367, A bill to be entitled "An Act creating an additional District Court for Hardin, Liberty, Tyler and Chambers Counties to be known as the 88th Judicial District Court adjusting the business of the 75th District Court to the business thereof; providing for the appointment of a District Judge therefor; amending Section 75 of Article 199 of the Revised Civil Statutes of the State of Texas so as to change the terms of court for the 75th District Court in each of said counties; providing the terms of the 88th District Court created hereby; providing that the official court reporter for the 75th Judicial District shall also be the official court reporter for the 88th Judicial District Court; authorizing said court reporter to employ assistants when the services of a court reporter are required in both the 88th and 75th District Courts at the same

times; authorizing the payment therefor; providing for a vacation for the judges of the 75th and 88th District Courts; providing for the transfer of cases between said courts without the entry of an order on the minutes of either court; providing that this Act shall not prevent the holding and closing under present laws of any term of court that may be in session when this Act takes effect; making an appropriation; repealing all laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act to amend H. B. No. 120, Acts of the R. S. of the 50th Legislature, Ch. 452, page 1049, providing for adult probation and parole; making an appropriation; containing a savings clause; repealing all laws in conflict herewith; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Report of Standing Committee

By unanimous consent the following report was submitted at this time:

Senator Weinert submitted the following report:

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 610, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be printed.

CORBIN, Chairman

Leave of Absence Granted

Senator Martin was granted leave of absence for the remainder of the day in order that he might attend a funeral, on motion of Senator Kelly of Tarrant.

Senate Concurrent Resolution 42

Senator Strauss offered the following resolution:

S. C. R. No. 42, Providing for adjournment from Thursday, April 14, 1949, until April 19, 1949.

Be It Resolved, by the Senate, the House of Representatives concurring, that each House grant the other permission to adjourn from Thursday, April 14, until Tuesday, April 19.

The resolution was read.

Senator Strauss moved to consider the resolution immediately.

Yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—13

Bell	Proffer
Bullock	Shofner
Cousins	Strauss
Hazlewood	Taylor
Lane	Vick
Lock	Weinert
McDonald	

Nays—17

Aikin	Jones
Ashley	Kelley of Hidalgo
Bracewell	Kelly of Tarrant
Carney	Moffett
Colson	Moore
Corbin	Morris
Hardeman	Phillips
Harris	Tynan
Hudson	

Absent—Excused

Martin

(Senator Aikin in the Chair.)

Senate Bill 40 Set as Special Order

Senator Jones moved that Senate Bill No. 40 be set as a special order for Friday, April 15, 1949, immediately following the disposition of S. B. No. 183.

The motion prevailed by the following vote:

Yeas—23

Bell	Kelly of Tarrant
Bracewell	Lane
Bullock	Lock
Carney	McDonald
Colson	Moffett
Corbin	Morris
Cousins	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	

Nays—5

Aikin	Moore
Ashley	Taylor
Hardeman	

Absent

Shofner	Weinert
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Absent—Excused

Martin

Senate Bill 240 Set as Special Order

Senator Vick moved that Senate Bill No. 240 be set as a special order for Friday, April 15, 1949, immediately following the disposition of all other special orders set for that day.

The motion prevailed by the following vote:

Yeas—24

Ashley	Lane
Bell	Lock
Bracewell	McDonald
Bullock	Moffett
Colson	Moore
Corbin	Morris
Cousins	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelly of Tarrant	Vick

Nays—5

Aikin	Kelley of Hidalgo
Carney	Weinert
Hardeman	

Absent

Phillips

Absent—Excused

Martin

Senate Bill 411 Re-referred

On motion of Senator Bracewell, S. B. No. 411 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Finance.

(President pro tempore in the Chair.)

Senate Bill 193 Set as Special Order

Senator Moore moved that Senate Bill No. 193 be set as a special order for Friday, April 15, 1949, immediately following the disposition of all other special orders set for that day.

The motion prevailed by the following vote:

Yeas—22

Bell	Lane
Bracewell	Lock
Bullock	McDonald
Carney	Moore
Colson	Morris
Corbin	Proffer
Cousins	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Nays—8

Aikin	Hazlewood
Ashley	Moffett
Hardeman	Phillips
Harris	Taylor

Absent—Excused

Martin

Senate Bill 223 Set as Special Order

Senator Kelly of Tarrant moved that Senate Bill No. 223 be set as a special order for Friday, April 15, 1949, immediately following the disposition of all other special orders set for that day.

The motion prevailed by the following vote:

Yeas—23

Aikin	Lock
Bell	Moffett
Bracewell	Moore
Bullock	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	

Nays—7

Ashley	Lane
Carney	McDonald
Hardeman	Weinert
Jones	

Absent—Excused

Martin

Senate Bill 70 Set as Special Order

Senator Tynan moved that Senate Bill No. 70 be set as a special order

for Friday, April 15, 1949, immediately following the disposition of all other special orders set for that day.

The motion prevailed by the following vote:

Yeas—22

Aikin	Jones
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Tynan
Hazlewood	Vick

Nays—7

Cousins	Strauss
Hudson	Taylor
Kelley of Hidalgo	Weinert
Lock	

Absent

Shofner

Absent—Excused

Martin

(President in the Chair.)

Motion to Set Senate Joint Resolution 8 as Special Order

Senator Cousins moved that S. J. R. No. 8 be set as a special order for Friday, April 15, 1949, immediately following the disposition of all other special orders set for that day.

The motion was lost by the following vote (not receiving an affirmative vote of two-thirds of the members present):

Yeas—17

Ashley	Kelly of Tarrant
Bell	Lock
Bracewell	McDonald
Cousins	Moffett
Hardeman	Moore
Harris	Strauss
Hazlewood	Vick
Hudson	Weinert
Jones	

Nays—13

Aikin	Corbin
Bullock	Kelley of Hidalgo
Carney	Lane
Colson	Morris

Phillips	Taylor
Proffer	Tynan
Shofner	

Absent—Excused

Martin

Senate Bill 379 Set as Special Order

Senator McDonald moved that Senate Bill No. 379 be set as a special order for Friday, April 15, 1949, immediately following the disposition of all other special orders set for that day.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent

Hazlewood

Absent—Excused

Martin

Senate Bill 444 on First Reading

By unanimous consent, the following bill was introduced, read first time and referred to the committee indicated:

By Senator Taylor:

S. B. No. 444, A bill to be entitled "An Act making an appropriation of the sum of Three Hundred and Fifty Thousand Dollars (\$350,000), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Fifty-first Legislature, and to pay any unpaid accounts or expenses of

the Fiftieth Legislature; and declaring an emergency."

To Committee on Finance.

House Concurrent Resolution 62

The President laid before the Senate for consideration at this time:

H. C. R. No. 62, Providing a permanent place for the French boxcar from the "Merci Train."

The resolution was read and was adopted.

House Concurrent Resolution 68

The President laid before the Senate for consideration at this time:

H. C. R. No. 68, Honoring the American aviators who flew with Lt. Col. James Doolittle in the raid over Tokyo.

The resolution was read and was adopted.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Senator Taylor submitted the following report:

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 444, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be not printed.

TAYLOR, Chairman.

Senator Kelly of Tarrant submitted the following report:

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 410, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KELLY of Tarrant, Chairman.

Bill Ordered Not Printed

On motion of Senator Taylor and by unanimous consent, S. B. No. 444 was ordered not printed.

Senate Bill 444 on Second Reading

Senator Taylor moved to suspend the constitutional rule requiring bills to be read on three several days and that S. B. No. 444 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Hudson	Vick
Jones	Weinert
Kelly of Tarrant	

Absent

Kelley of Hidalgo

Absent—Excused

Martin

The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 444, A bill to be entitled "An Act making an appropriation of Three Hundred and Fifty Thousand Dollars (\$350,000), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and to pay the mileage and per diem of members of the Legislature, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 444 on Third Reading

The President then laid S. B. No. 444 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert

Absent—Excused

Martin

Senate Bill 445 on First Reading

Senator Vick moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent

Hazlewood

Absent—Excused

Martin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Vick:

S. B. No. 445, A bill to be entitled "An Act to amend Section 1, Added

Acts 1947, Fiftieth Legislature, Regular Session, page 504, Chapter 298, to exempt from State Bar Examination, applicants for law licenses who are Veterans of Military or Merchant Marine Service in World War II, and who graduate from law schools approved by the American Bar Association prior to July 1, 1952, and declaring an emergency."

To Committee on Civil Jurisprudence.

Committee Substitute Senate Joint Resolution 4 on Passage to Engrossment

The President laid before the Senate as the unfinished special order, on its passage to engrossment:

C. S. S. J. R. No. 4, Proposing an amendment to the Constitution of the State of Texas, by amending Section 19 of Article 16, so as to provide that the qualification of no person to serve as a juror on grand juries and on petit juries in civil cases, shall be denied or abridged on account of sex, etc.

The resolution having been read second time on Monday, April 4, 1949, with an amendment by Senator Hardeman pending.

Question—Shall the amendment be adopted?

Senate Resolution 112

Senator Proffer offered the following resolution:

Whereas, We have in our presence today in the gallery a group of students from the Department of Government of North Texas State Teachers College, Denton; and

Whereas, These students are being accompanied by Mr. Antonio Garcia and Mr. Paul M. Rilling, faculty members of the Department of Government; and

Whereas, It is the purpose of these students and faculty members to see the Legislature in action and government in the making while visiting the Capitol; now, therefore, be it

Resolved, That the Senate officially recognize these students and faculty members and extend to them a most cordial welcome; and be it further

Resolved, That the privileges of the floor be extended to them for the day, and a copy of this Resolution be given to the faculty members.

The resolution was read and was adopted.

Recess

On motion of Senator Carney, the Senate at 12:00 o'clock m., took recess to 2:30 o'clock p.m. today.

Afternoon Session

The Senate met at 2:30 o'clock p.m. and was called to order by the President.

Report of Standing Committee

By unanimous consent, the following reports were submitted at this time:

Senator Bullock submitted the following report:

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 297 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be mimeographed.

BULLOCK, Chairman.

Senator Corbin submitted the following report:

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No 211 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be mimeographed.

CORBIN, Chairman.

Senator Jones submitted the following reports:

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 372, have had same under consideration, and I am instructed to report it back to the

Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 475, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 342, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 341, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 335, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom

was referred H. B. 468, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 709, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 706, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 703, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. 404, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 12, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 444, A bill to be entitled "An Act making an appropriation of the sum of Three Hundred and Fifty Thousand (\$350,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay mileage and per diem, etc., of the Regular Session of the 51st Legislature, and to pay any unpaid accounts or expenses of the 50th Legislature; and declaring an emergency."

S. B. No. 87, A bill to be entitled "An Act authorizing the Commissioners' Court of Robertson County, Texas, to issue bonds to refund road and bridge scrip warrants outstanding at the time this Act becomes effective; prescribing the method of issuing such bonds; adopting the provisions of Articles 709 to 715, both inclusive, with references to approval by the Attorney General and registration by the Comptroller; validating the warrants thus to be refunded; and declaring an emergency."

H. B. No. 429, A bill to be entitled "An Act amending Section 2 of Senate Bill 21, Acts of the 4th Called Session, 35th Legislature, 1918, Chapter 4, page 222, et seq., relating to the Sugar Land Independent School District in Fort Bend County, and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Committee Substitute Senate Joint Resolution 4 on Passage to Engrossment

The Senate resumed consideration of pending business, same being C. S. J. R. No. 4, providing no person shall be denied the right to serve on Juries, with an amendment by Senator Hardeman pending.

Question—Shall the amendment be adopted?

Motion to Adjourn

Senator Ashley moved that the Senate adjourn until 10:00 o'clock a.m. tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—9

Aikin	Lane
Ashley	McDonald
Bell	Taylor
Bracewell	Tynan
Hardeman	

Nays—13

Bullock	Moore
Colson	Phillips
Cousins	Proffer
Harris	Shofner
Hazlewood	Strauss
Jones	Vick
Kelly of Tarrant	

Absent

Carney	Lock
Corbin	Moffett
Hudson	Morris
Kelley of Hidalgo	Weinert

Absent—Excused

Martin

(Senator Strauss in the Chair)

Question recurring on the amendment by Senator Hardeman, it was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend C. S. S. J. R. 4, Sec. 2, by striking out the period and quotation mark at the end of line 32 and add the following: "and providing that it shall be mandatory that all women shall be required to serve on such juries when summoned therefor." and by striking out the period and quotation mark at the end of line 34 and add the following: "and providing that it shall be mandatory that all women shall be required to serve on such juries when summoned therefor."

Pending discussion of the amendment, Senator Bell moved that the Senate adjourn until 10:30 o'clock a.m. tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—10

Aikin	Lane
Ashley	McDonald
Bell	Moore
Hardeman	Proffer
Hazlewood	Taylor

Nays—17

Bracewell	Kelly of Tarrant
Bullock	Moffett
Carney	Morris
Colson	Phillips
Corbin	Shofner
Cousins	Strauss
Harris	Tynan
Jones	Vick
Kelley of Hidalgo	

Absent

Hudson	Weinert
Lock	

Absent—Excused

Martin

Senator Harris moved to table the amendment.

Yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—16

Aikin	Kelly of Tarrant
Bullock	Moffett
Colson	Moore
Corbin	Phillips
Harris	Proffer
Hazlewood	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Nays—10

Ashley	Lane
Bell	McDonald
Bracewell	Morris
Carney	Shofner
Hardeman	Taylor

Absent

Cousins	Lock
Hudson	Weinert

Absent—Excused

Martin

Senator Ashley offered the following amendment to the bill:

Amend S. J. R. No. 4 by striking out Section 1 of said Bill and substituting therefor the following:

"Section 1. That Section 19 of Article 16 of the Constitution of Texas be amended so as to hereafter read as follows:

"Section 19: The Legislature shall prescribe by law the qualification of grand and petit jurors, provided that the qualification of no person for service on grand juries or on petit juries shall be denied or abridged on account of sex, and no person shall be exempt from service on grand juries or petit juries on account of sex."

Pending discussion of the amendment by Senator Ashley, on motion of Senator Proffer, by unanimous consent, the following poem, written and recited by Senator Ashley as a part of his debate, was ordered printed in the Journal:

Oh, where is the mother of yesterday,
Who prayed to God in her own quiet way,
Who loved her home and for what it stood
And stayed at home like a mother should.

Who blessed each day with her saintly grace
And made a shrine of the old home place;
Who knew her duty in God's great plan
Was to raise her children and love her man.

Oh, praise to that mother so staunch and true,
The guiding light to me and you;
Her strength supports this Capitol Dome,
And I'm thankful to know that she's still at home.

Pending further discussion of the amendment by Senator Ashley, Senator Vick moved that the Senate adjourn until 10:00 o'clock a.m. tomorrow.

Senator Kelley of Hidalgo moved that the Senate recess until 10:00 o'clock a.m. tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—14

Aikin	Hazlewood
Ashley	Lane
Bell	Lock
Bracewell	McDonald
Bullock	Proffer
Hardeman	Taylor
Harris	Vick

Nays—14

Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Jones	Shofner
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Tynan

Absent

Hudson	Weinert
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Absent—Excused

Martin

Question next recurring on the motion of Senator Kelley of Hidalgo, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—11

Bullock	Phillips
Carney	Proffer
Hardeman	Shofner
Kelley of Hidalgo	Strauss
Moore	Tynan
Morris	

Nays—17

Aikin	Jones
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Colson	McDonald
Corbin	Moffett
Cousins	Taylor
Harris	Vick
Hazlewood	

Absent

Hudson	Weinert
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Absent—Excused

Martin

Senator Hardeman moved that the Senate adjourn until 10:30 o'clock a.m. tomorrow.

Senator Morris raised the point of order against the motion to adjourn

on the ground that there had been no business transacted since the last motion to adjourn.

The Presiding Officer, (Senator Strauss in the Chair) sustained the point of order.

Question—Shall the amendment by Senator Ashley be adopted?

(President in the Chair)

Bills and Resolutions Signed

The President signed in the presence of the Senate after giving due notice thereof, the following bills and resolutions:

S. B. 444, Making an emergency appropriation of Three Hundred and Fifty Thousand Dollars (\$350,000) to pay mileage and per diem of members of the Legislature, etc., and declaring an emergency.

H. B. No. 64, A bill to be entitled "An Act amending Chapter 2, Title 49, Revised Civil Statutes of Texas by adding a new Article to be designated Article 2615d, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to establish an adjunct of the College in Kimble County, Texas; authorizing said Board to provide at the adjunct any services which conform to the leading object of the Agricultural and Mechanical College of Texas, including research, with certain exceptions and limitations; and declaring an emergency."

H. C. R. No. 62, Relative to providing a permanent place for the French boxcar from the "Merci Train."

H. C. R. No. 64, In memory of Mr. Herman Diezi.

S. B. No. 87, A bill to be entitled "An Act authorizing the Commissioners' Court of Robertson County, Texas, to issue bonds to refund road and bridge scrip warrants outstanding at the time this Act becomes effective; prescribing the method of issuing such bonds; adopting the provisions of Articles 709 to 715, both inclusive, with references to approval by the Attorney General and registration by the Comptroller; validating the warrants thus to be refunded; and declaring an emergency."

Committee to Escort Honorable Perry Brown to Joint Session

Pursuant to the provisions of S. C. R. No. 26, the President announced the appointment of the following committee on the part of the Senate to escort Hon. Perry Brown to the Joint Session to be held in the House of Representatives at 11:30 o'clock a.m. Wednesday, April 13, 1949:

Senators Kelley of Hidalgo, Phillips, Cousins, Taylor and Kelly of Tarrant.

Recess

Senator Aikin moved that the Senate adjourn until 10:00 o'clock a.m. tomorrow.

Senator Kelley of Hidalgo moved that the Senate recess to 10:00 o'clock a.m. tomorrow.

Question first recurring on the motion of Senator Aikin, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—12

Aikin	Hazlewood
Ashley	Jones
Bell	Lane
Bracewell	Lock
Hardeman	McDonald
Harris	Vick

Nays—16

Bullock	Moore
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Taylor
Moffett	Tynan

Absent

Hudson	Weinert
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Absent—Excused

Martin

Question then recurring on the motion of Senator Kelley of Hidalgo, it prevailed.

The Senate, accordingly, at 4:40 o'clock p.m. took recess until 10:00 o'clock a.m. tomorrow.

In Memory of
Mrs. Katherine Mapes

Senator Cousins offered the following resolution:

(Senate Resolution 111)

Whereas, On October 28, 1948, our Almighty God called from her earthly existence Mrs. Katherine Mapes, widow of Mr. James L. Mapes of Beaumont, Texas, at the age of sixty-six; and

Whereas, At the time of her death she was and has been for many years President and Publisher of the Beaumont Enterprise and Journal and had an interest in radio station KRIC; and

Whereas, Mrs. Mapes was the only woman publisher of a big city newspaper in Texas and one of one-half dozen in the United States; and

Whereas, She and her husband, the late James L. Mapes, had been connected with the Enterprise Company in Beaumont, Texas, for forty years moving hence from Audabon, Alabama, in 1908; and

Whereas, Mrs. Mapes succeeded to the Presidency of the two papers and assumed active leadership of the Enterprise and Journal and kept in close touch with the workings of both papers and took part in some of the national newspaper meetings; and

Whereas, Mrs. Mapes was a member of the Women Club, Texas, Southern and American Newspaper Associations; and

Whereas, She was one of the outstanding Methodists and citizens of Texas; and

Whereas, Her passing is greatly mourned by her many friends throughout the State of Texas and her loss is irreplaceable, it is the desire of the Senate of Texas to recognize and pay tribute to the many services and useful life of Mrs. Mapes and to express sympathy to her family; now, therefore, be it

Resolved, That we express to the members of the family of the deceased our sincere sympathy and regret upon the passing of this distinguished citizen; that a page be set aside in the Senate Journal as a memorial to her; that a copy of this resolution be mailed to the members of the family of the deceased.

COUSINS

Signed—Allan Shivers, Lieutenant Governor, Aikin, Ashley, Bell, Bracewell, Bullock, Carney, Colson, Corbin, Hardeman, Harris, Hazlewood, Hudson, Jones, Kelley of Hidalgo, Kelly of Tarrant, Lane, Lock, Martin, McDonald, Moffett, Moore, Morris, Phillips, Proffer, Shofner, Strauss, Taylor, Tynan, Vick, Weinert.

The resolution was read.

On motion of Senator Aikin, the names of the Lieutenant Governor and all Members of the Senate were added to the resolution as signers thereof.

The resolution was adopted.